

GP/2622

TRANSMITTAL LETTER			Case No. 56/361
Serial No. 10/006371	Filing Date December 6, 2001	Examiner unassigned	Group Art Unit 2622
Inventor(s) Erich Strasser			
Title of Invention METHOD FOR THE FUNCTIONAL CONTROL OF A POSITION MEASURING SYSTEM AND POSITION MEASURING SYSTEM FOR EXECUTING THE METHOD			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Information Disclosure Statement with copies of eleven (11) cited references; Form 1449, and post card
☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.

☐ A statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.

☐ Petition for a \_\_\_\_\_ month extension of time.

☐ No additional fee is required.

☐ The fee has been calculated as shown below:

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					Small Entity		Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus			x \$9=		x \$18=	
Indep.		Minus			x \$42=		x \$84=	
First Presentation of Multiple Dep. Claim					+\$140=		+\$280=	
					Total add'l fee	\$	Total add'l fee	\$

☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

*John C. Freeman*  
 John C. Freeman  
 Registration No. 34,483  
 Attorney for Applicant

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: The Commissioner for Patents, Washington, D.C. 20231, on May 29, 2002.

Date:

May 29, 2002

Signature:

*John C. Freeman*



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
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D.C. 20231 on May 29, 2002

Name of Registered Representative:

J. C. Freeman

John C. Freeman, Reg. No. 34,483

May 29, 2002

Date of Signature

PATENT  
CASE NO. 56/361

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
)  
Erich Strasser )  
) Group Art Unit: 2622  
Serial No.: 10/008,371 )  
) Examiner: unassigned  
Filed: December 6, 2001 )  
)  
For: METHOD FOR THE )  
FUNCTIONAL CONTROL OF A )  
POSITION MEASURING SYSTEM) )  
AND POSITION MEASURING )  
SYSTEM FOR EXECUTING )  
THE METHOD )

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with Applicant's duty of disclosure under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.98, Applicant hereby submits the following references for consideration by the Examiner. Copies of the references are enclosed along with a completed copy of Form PTO-1449.

## **I. DISCLOSURE**

### **A. U.S. Patents**

<b><u>Patent No.</u></b>	<b><u>Inventor</u></b>	<b><u>Issue Date</u></b>
3,725,904	Breslow et al.	04/03/73
4,311,987	Taillebois	01/19/82
5,687,103	Hagl et al.	11/11/97
5,793,201	Nelle et al.	08/11/98

### **B. Foreign Patents**

<b><u>Reference No.</u></b>	<b><u>Country</u></b>	<b><u>Pub. Date</u></b>
28 25 842	W. Germany	12/21/78
35 09 682	W. Germany	09/18/86
40 09 749	Germany	12/06/90
43 42 377	Germany	06/14/95
44 25 416	Germany	02/08/96
44 27 278	Germany	02/15/96
195 08 834	Germany	09/12/96

## **II. DISCUSSION**

### **A. West German Patent Reference No. 28 25 842**

The pertinence of the '842 patent reference is discussed at page 2 of Applicant's specification.

It is believed that U.S. Patent No. 4,311,987 corresponds to the '842 reference.

**B. West German Patent Reference No. 35 09 682**

Based solely on the drawings and the enclosed English language Abstract, the '682 patent reference is pertinent because it appears to disclose an error detector for a position measuring system. The error detector includes a threshold generator and compares two clock signals.

The '682 patent reference was cited as an A-type reference in a Search Report for a corresponding German Patent Application. An A-type reference regards technical background information and is not deemed pertinent to patentability.

**C. German Patent Reference No. 40 09 749**

The pertinence of the '749 patent reference is discussed at page 2 of Applicant's specification.

**D. German Patent Reference No. 43 42 377**

Based solely on the drawings, the '377 patent reference is pertinent because it appears to disclose a device for serial transmission of data that includes parameters.

It is believed that U.S. Patent No. 5,687,103 corresponds to the '377 reference.

The '377 patent reference was cited as an A-type reference in a Search Report for a corresponding German Patent Application.

**E. German Patent Reference No. 44 25 416**

Based solely on the drawings, the '416 patent reference is pertinent because it appears to disclose circuitry for comparing signals.

It is believed that U.S. Patent No. 5,793,201 corresponds to the '416 reference.

The '416 patent reference was cited as an A-type reference in a Search Report for a

corresponding German Patent Application.

**F. German Patent Reference No. 44 27 278**

Based solely on the drawings and the enclosed English-language Abstract, the '278 patent reference is pertinent because it appears to disclose a magnetic measuring system that generates a signal to stop movement of a scanner.

It is believed that U.S. Patent No. 5,793,201 corresponds to the '278 reference.

The '278 patent reference was cited as an A-type reference in a Search Report for a corresponding German Patent Application.

**G. German Patent Reference No. 195 08 834**

Based solely on the drawings and the enclosed English-language Abstract, the '834 patent reference is pertinent because it appears to disclose transmitting serial code words and parameters in a position measuring device.

It is believed that U.S. Patent No. 5,687,103 corresponds to the '834 reference.

The '834 patent reference was cited as a Y-type reference in a Search Report for a corresponding German Patent Application. A Y-type reference is deemed pertinent to patentability when combined with one or more Y-type references.

**III. CONCLUSION**

It is believed that none of these references, alone or in combination, disclose or suggest the invention claimed. However, Applicant wishes to make it clear that the disclosure of the above references is in no way an admission that they qualify as prior art. It is Applicant's desire, however, to have these references available in the record for both the Examiner and the public to

see. Applicant therefore requests that the Examiner review the entire disclosure of each reference and make the above-listed references of record.

Respectfully submitted,

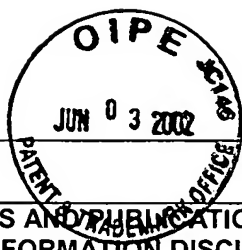
A handwritten signature in black ink, appearing to read "J.C. Freeman", written in a cursive style.

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Dated: May 29, 2002

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FORM PTO-1449	SERIAL NO. 10/008,371	CASE NO. 56/361
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE December 6, 2001	GROUP ART UNIT 2622
(use several sheets if necessary)		APPLICANT: Erich Strasser

#### REFERENCE DESIGNATION

#### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	3,725,904	04/03/73	Breslow et al.		
	A2	4,311,987	01/19/82	Taillebois		
	A3	5,687,103	11/11/97	Hagl et al.		
	A4	5,793,201	08/11/98	Nelle et al.		

#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
	A5	28 25 842	12/21/78	W. Germany			X
	A6	35 09 682	09/18/86	W. Germany		X	
	A7	40 09 749	12/06/90	Germany		X	
	A8	43 42 377	06/14/95	Germany			X
	A9	44 25 416	02/08/96	Germany		X	
	A10	44 27 278	02/15/96	Germany		X	
	A11	195 08 834	09/12/96	Germany		X	

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	A10	
	A11	
	A12	
	A13	
	A14	
	A15	

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EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.